

REMARKS

Claims 1, 2 and 4 to 17 are all the claims pending in the application, prior to the present Amendment.

In the Office Action, the Examiner states that claims 1, 2 and 4 to 16 are pending, and sets forth a rejection of these claims. Applicant points out, however, that applicant added a new claim 17 in the Amendment Under 37 C.F.R. § 1.111 filed on September 3, 2009. Applicant requests the Examiner to consider claim 17.

In addition, applicant has added new claim 18 in the present Amendment. Support for claim 18 can be found at page 26, lines 23 to 25 of the specification.

Applicant encloses a verified translation of Japanese Patent Application No. 2003-108252, for which applicant has claimed priority, and a statement by the translator that the translation is true and correct.

In addition, applicant is submitting a Submission of Corrected Translation of International Application as Filed (35 U.S.C. § 371 (c)(2)) along with a corrected translation of the International Application. The corrected translation contains the corrections to the specification that were set forth in the Amendment Under 37 C.F.R. § 1.111 filed on September 3, 2009.

Further, applicant is setting forth again the amendment to the paragraph bridging pages 22 and 23 of the specification that was set forth in the Preliminary Amendment filed on October 3, 2005 in order to ensure that this amendment is made to the corrected translation. Applicants note that this amendment is made to correct a typographical error that occurred in the original Japanese-language PCT International Application. That a typographical error occurred is clear from page 23, lines 10 to 12 of the specification. The corrected translation contains this

typographical error since the typographical error occurred in the original Japanese-language PCT International Application.

During prosecution of the present application, the claims have been amended. Applicant requests that the claim amendments be retained.

Claims 1, 2 and 4 to 16 have been rejected under 35 U.S.C. § 103(a) as obvious over WO 2004/011553 to Iwakiri et al.

The Examiner refers to U.S. Patent No. 7,473,441 as a corresponding English language document, and states that all citations are with respect to the U.S. patent.

Applicant submits that Iwakiri et al do not disclose or render obvious the presently claimed invention and, accordingly, requests withdrawal of this rejection.

The present invention is directed to a curable composition comprising a reactive silicon group-containing polyoxyalkylene polymer, a filler (C) and a curing catalyst (D). The curable composition comprises 0 to less than 5 parts by weight of a plasticizer in relation to 100 parts by weight of the reactive silicon group-containing polyoxyalkylene polymer. The reactive silicon group-containing polyoxyalkylene polymer is obtained by reacting a polyoxyalkylene polymer (A) having a molecular weight distribution of 1.6 or less, a number average molecular weight of 15,000 to 50,000, and 0.8 or more reactive groups, on average, per molecule thereof with an organic compound (B) having in the molecule thereof a reactive silicon group and a functional group capable of reacting with the reactive groups of the polymer (A) in a proportion of 0.8 to 1.5 molecules of the organic compound (B), on average, per molecule of the component (A).

Thus, applicants have amended claim 1 to state that a plasticizer is present in an amount of 0 to less than 5 parts by weight or less in relation to 100 parts by weight of the reactive silicon group-containing polyoxyalkylene polymer. Support for this amendment can be found at page at page 26, lines 23 to 25 of the specification.

According to the present invention, no plasticizer or an incredibly small amount of plasticizer, that is, less than 5 parts by weight in relation to 100 parts by weight of the reactive silicon group-containing polyoxyalkylene polymer, is used. According to the present invention, the amount of plasticizer can be reduced to less than 5 parts by weight by using a specific reactive silicon group-containing polyoxyalkylene polymer. Conventionally, 50 to 100 parts by weight of plasticizer is used in a curable composition, and no plasticizing effect can be expected from less than 5 parts by weight of plasticizer.

A comparison between Examples 1 and 2 of the present specification indicates that the curable composition of Example 1 without plasticizer is superior to Example 2 containing 5 parts by weight of plasticizer.

Turning now to Iwakiri et al, it is directed to a curable composition that comprises (A) a polyoxyalkylene polymer having reactive silicon groups, (B) a vinyl polymer having reactive silicon groups, and (C) a low-molecular weight polyoxyalkylene plasticizer. Iwakiri et al teach that the amount of plasticizer is preferably at least 5 parts by weight based on 100 parts by weight of the total amount of the polymers (A) and (B). See page 20, lines 5 to 7 of W02004/011553 and col. 14, lines 1 to 6 of US 7,473,441. However, the lower limit in Iwakiri et al is more preferably 20 parts by weight as disclosed at col. 14. line 3 of US 7,473,441, and actually 55 parts by weight of plasticizer is used in Examples 1 to 3 of Iwakiri et al. Iwakiri et al

merely teach a broad range. Applicant submits that a person having ordinary skill in the art would understand that the plasticizing effect can hardly be obtained with 5 parts by weight of plasticizer.

Accordingly, applicant submits that the curable composition according to the present invention as set forth in claim 1 amended of less than 5 parts by weight of plasticizer is not obvious from the teachings of Iwakiri et al.

Further, the curable composition according to claim 18 contains 2 parts by weight or less of plasticizer, and the curable composition according to claim 17 contains no plasticizer. Both of these claims are, of course, not obvious from the teachings of Iwakiri et al.

In view of the above, applicant submits that Iwakiri et al do not disclose or render obvious the presently claimed invention and, accordingly, requests withdrawal of this rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/552,036

Attorney Docket No.: Q90347

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

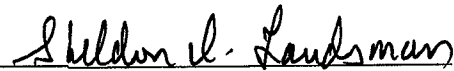
SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 12, 2010


Sheldon I. Landsman
Registration No. 25,430